

Remarks

Applicants' undersigned attorney attempted to telephone Examiner Anderson before filing this response, but was told that Mr. Anderson had left the Office and that the application would not be reassigned until after this response was filed. Accordingly, applicants respectfully request that, upon reassignment of the application, if the new examiner does not agree that this amendment places the case in condition for allowance, that the examiner telephone applicants' undersigned attorney to discuss possible supplementation before issuance of a final action.

It is noted with appreciation that claims 3 and 13 have been indicated to contain allowable subject matter. However, the recasting of those claims in independent form is being deferred pending consideration of this amendment, which is believed to overcome the rejections of the base independent claims.

Claims 14-25 are withdrawn as directed to non-elected subject matter.

Claim 13 is rejected under 35 U.S.C. § 112 as being indefinite in that the phrase "the flange" in claim 13 lacks antecedent basis. The rejection is respectfully traversed. The antecedent basis is found in lines 1-3 of the claim, which recite "a forwardly-projecting flange."

Claims 1, 2, 4, and 6-12 are rejected under 35 U.S.C. § 102 as being anticipated by Heinrichs, of record, which discloses a document strong box mounted within a drawer, the strong box having a bottom wall and upstanding front, rear and side walls and a cover hinged to the rear wall and lockable to the front wall.

Each of the independent claims 1 and 8 requires a drawer having "an upstanding peripheral wall structure integral with the bottom wall for defining a compartment," and further requires a partition "extending across and joining opposed portions of the peripheral wall structure for cooperation therewith and with the bottom wall to define compartment portions respectively on opposite sides of the partition." In support of the rejection, the examiner reads

on the drawer bottom and reads the “peripheral wall structure” on the side and back walls of the strong box. But the claim requires that the peripheral wall structure serve for “defining” a compartment. The word “define” means “to fix or mark the limits of” (Webster’s Seventh New Collegiate Dictionary (1970), page 216 (copy enclosed). By themselves, the side and rear walls cannot “define” anything because the front is open.

The examiner reads the “partition” on the front wall of the Heinrichs strong box. But the claims require that this partition serve to define compartment “portions respectively on opposite sides of the partition.” No part of any compartment defined by the strong box walls can be on the front side of the front wall. Furthermore, it is noted that the Heinrichs strong box has a bottom wall 3. Any compartment which is defined by the strong box is defined in cooperation with that bottom wall 3. Yet, the examiner reads the claimed “bottom wall” on the drawer bottom wall 6. The strong box side, and the front walls do not cooperate with the drawer bottom wall 6 to define a compartment because of the intervening strong box bottom wall 3.

Accordingly, it is submitted that the independent claims 1 and 8 cannot be read on the Heinrichs structure. Nevertheless, in order to clarify the intent, each of the independent claims 1 and 8 has been amended to specify that the compartment is “encompassed by the peripheral wall structure.” There is no compartment which is encompassed by the side and rear walls by the Heinrichs strong box. There is a compartment encompassed by those walls plus the strong box front wall, but in that event, there is nothing corresponding to the claimed “partition.”

Additionally, the independent claims 1 and 8 have been amended to specify that the tray is mountable on the peripheral wall structure for movement “therealong.” This further serves to distinguish from the Heinrichs arrangement, in which the strong box cover, on which the

examiner reads the claimed "tray," is pivotally mounted on the rear wall and, thus, cannot move "along" the peripheral wall structure.

For all of these reasons, it is believed that, as amended, each of the independent claims 1 and 8 and the claims dependent thereon is now clearly patentable over the cited art and, accordingly, allowance of the claims is respectfully asked.

Respectfully submitted,

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